

REMARKS

The examiner considers the application to contain sixteen inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1 and requires election of a single invention/group from Groups I-XVI to which the claims must be restricted.

Applicants elect Group III, claims 1-7, 9, 12-23, 30-45 and 59 with traverse.

Applicants further clarify that the second occurrence of element (B) is a typographical error and should instead read (C). In addition, the elements are intended to read in the alternative with an "or" at the end of line 7 of claim 1. However, this issue is made moot by the amendment to claim 1.

The restriction requirement is traversed insofar as Groups III, X (which is now drawn to polynucleotides encoding a TAA peptide obtainable from a protein encoded by a polynucleotide overexpressed in human colon carcinoma cells) and XII are concerned. SEQ ID NO:41 (STEAP-3) is no longer encompassed by the claims, and accordingly the cited Afar et al. (US2005063975) reference does not defeat the special technical feature in generic claim 1. Under PCT unity of invention, a polynucleotide and a peptide encoded by the polynucleotide are considered to have unity of invention. Furthermore, the claims of Group XII

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relate to a pharmaceutical composition of polynucleotides encoding such peptides.

Reconsideration and withdrawal of the restriction requirement insofar as Groups III, X and XII are concerned are therefore respectfully requested.

It is understood that upon allowance of the elected product claims, withdrawn process claims that depend from or otherwise require all the limitations of the allowable product claims(s) will be considered for rejoinder.

Favorable consideration and allowance are respectfully solicited.

Respectfully submitted,

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